

FEB. 28. 2007 3:36PM

CALFEE HALTER GRISWOLD

BEST AVAILABLE COPY

NO. 4060 P. 1

RECEIVED
CENTRAL FAX CENTER

FEB 28 2007

Facsimile Cover



Date: February 28, 2007
To: USPTO
Fax Number: 571-273-8300
Send Only to the Above Fax Number:
Confirmation Phone Number:

Calfee, Halter & Griswold LLP
1400 McDonald Investment Center
800 Superior Avenue
Cleveland, Ohio 44114-2688
216.622.8200 Phone
216.241.0316 Fax

1100 Fifth Third Center
21 East State Street
Columbus, Ohio 43215-4243
614.621.1500 Phone
614.621.0010 Fax
www.calfee.com

From: Pamela A. Docherty
Direct Dial Phone Number: 216.622.8416

Client Number: 26473 Matter Number: 04177 Client Name: CCF

Number of Pages: 12

Message:

In re application of:
Hazen, et al.

Serial No.: 10/039,753

Filed: January 2, 2002

For: MYELOPEROXIDASE,
A RISK INDICATOR FOR
CARDIOVASCULAR DISEASE

Examiner: Saunders, David A.

Art Unit: 1644

Confirmation No.: 9142

Attorney Docket No.: 26473/04177

Please acknowledge receipt of the following:

- Facsimile Cover Sheet (1 page)
- Transmittal Form (1 page) in duplicate
- Response to Second Advisory Action (9 pages)

This facsimile transmission contains confidential and/or legally privileged information from the law firm of Calfee, Halter & Griswold LLP intended only for the use of the individual(s) named on the transmission sheet. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile transmission is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately so that we can arrange for the return of the documents to us at no cost to you.

If there is a problem with this transmission, please contact the Fax Department at: 216.622.8426, 216.622.8427, or 216.622.8428. Facsimiles can be received 24 hours per day, 7 days a week at 216.241.0816. Thank You.

Fax Operator's Initials:

Sent By: lm
Time: 3:36

Logged By: _____
Time: _____

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10039753	RECEIVED CENTRAL FAX CENTER FEB 28 2007
	Filing Date	January 2, 2002	
	First Named Inventor	Hazen, et al.	
	Art Unit	1644	
	Examiner Name	Saunders, David A.	
Total Number of Pages in This Submission	12	Attorney Docket Number	26473/04177

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature	<i>Pamela A. Docherty</i>		
Printed name	Pamela A. Docherty	Reg. No.	40,591
Date	February 28, 2007		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Patricia Lewis</i>	Date	February 28, 2007
Typed or printed name	Patricia Lewis		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEB. 28. 2007 3:37PM

CALFEE HALTER GRISWOLD

Customer Number NO. 4060 P. 3

24024

RECEIVED
CENTRAL FAX CENTER

FEB 28 2007

CERTIFICATE OF FACSIMILE TRANSMITTAL

CERTIFICATE OF FACSIMILE TRANSMITTAL
I hereby certify that this Response to Second Advisory Action is being
faxed to FAX NUMBER: 571-273-8300 on this 28th day of
February, 2007.

February, 2007.
Attention: Dr. Saunders, David A.

Typed or Printed name of person signing this certificate:
Patricia Lewis

Patricia Lewis

Signed:

Patricia Lewis

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hazen, et al.

Serial No.: 10/039,753

Filed: January 2, 2002

For: **MYELOPEROXIDASE,
A RISK INDICATOR FOR
CARDIOVASCULAR DISEASE**

Examiner: Saunders, David A.

Art Unit: 1644

Confirmation No.: 9142

Attorney Docket No.: 26473/04177

Fax Number 571-273-8300

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

RESPONSE TO SECOND ADVISORY ACTION

Dear Sir:

The following is responsive to the Second Advisory Action mailed February 21, 2007. Please amend the above-described application as follows:

There are no amendments to the specification.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 9 of this paper.